

\*REVISED 9/9/09

**State of New York**  
**Public Health Council**

## ANNUAL MEETING

## AGENDA

**September 11, 2009  
10:00 a.m.**

**Meeting Rooms 2 & 3  
Concourse Level, Empire State Plaza  
Albany**

## I. INTRODUCTION OF OBSERVERS

Dr. William Streck, Chairman

## **II. APPROVAL OF MINUTES**

July 17, 2009

**Exhibit #1**

### III. ELECTION OF OFFICERS

P Vice Chairperson

## P Committee Chairpersons

- < Codes & Legislation Committee
- < Establishment of Health Care Facilities Committee
- < Health Personnel and Interprofessional Relations Committee
- < Ad Hoc Committee to Support the Prevention Agenda toward the Healthiest State

**IV REVISED COMMITTEE ON ESTABLISHMENT OF  
HEALTHCARE FACILITIES / PHC 2008 MEETING LOCATION**

## Exhibit #2

## V. ESTABLISHMENT

#### A. Committee on Establishment of Health Care Facilities

Susan Regan, Chair

**CATEGORY 1:** Applications Recommended for Approval - No Issues or Recusals,  
Abstentions/Interests

**CON Applications**

**Diagnostic and Treatment Centers**

<u>Number</u>	<u>Applicant/Facility</u>	<u>E. C. Recommendation</u>	
082062	Ridge Health Services, Inc. (Schenectady County)	Contingent Approval	Exhibit #3

**Residential Health Care Facilities**

<u>Number</u>	<u>Applicant/Facility</u>	<u>E. C. Recommendation</u>	
062439	Montgomery Operating Company, LLC d/b/a Montgomery Nursing Home (Orange County)	Contingent Approval	Exhibit #4

**Certified Home Health Care Agency**

<u>Number</u>	<u>Applicant/Facility</u>	<u>E. C. Recommendation</u>	
091052	A&T Certified Home Care, LLC (Rockland County)	Contingent Approval	Exhibit #5

**Certificate of Amendment of the Certificate of Incorporations**

<u>Applicant</u>	<u>E.C. Recommendation</u>	
League for the Hard of Hearing	Approval	Exhibit #6
Marcus Garvey Nursing Home, Inc.	Approval	Exhibit #7
*Interest – M. Fassler		
Southampton Care Center	Approval	Exhibit # 8

**Certificate of Dissolution**

<u>Applicant</u>	<u>E.C. Recommendation</u>	
The Grace Manor Foundation, Inc.	Approval	Exhibit #9

## **Restated Articles of Organization**

<u>Applicant</u>	<u>E.C. Recommendation</u>	
Gastro Operating Company, LLC	Approval	Exhibit #10
<b>Home Health Agency Licensures</b>		Exhibit #11

<u>Number</u>	<u>Applicant/Facility</u>	<u>E.C.</u> <u>Recommendation</u>	
1741	Kenwell Realty, LLC d/b/a Kenwell Manor (Erie County)	Approval	Recusal – S. Regan

### **CATEGORY 2:** Applications Recommended for Approval with the Following:

- \$ PHC Member Recusals
- \$ Without Dissent by SHRPC or HSA
- \$ Without Dissent by Establishment Committee

### **Ambulatory Surgery Center**

<u>Number</u>	<u>Applicant/Facility</u>	<u>E. C. Recommendation</u>	
091059	Advanced Surgery Center, LLC (Rockland County) Recusal – H. Fensterman	Contingent Approval	Exhibit #12

### **Diagnostic and Treatment Center**

<u>Number</u>	<u>Applicant/Facility</u>	<u>E. C. Recommendation</u>	
071123	Children's Rehabilitation Center (Westchester County) Interest – P. Yang *Interest – M. Fassler	Contingent Approval	Exhibit #13
091139	Rochester Primary Care Network, Inc. d/b/a Rushville Health Center (Yates County) Interest – P. Robinson	Contingent Approval	Exhibit #14

## **Certificate of Amendment of the Certificate of Incorporation**

<u>Applicant</u>	<u>E.C. Recommendation</u>	
AHRC Health Care, Inc.	Approval	Exhibit #14

**Home Health Agency Licensures** Exhibit #16

<u>Number</u>	<u>Applicant/Facility</u>	<u>E.C.</u> <u>Recommendation</u>	
1771	Academy Care Givers, Inc. (Bronx and Westchester Counties)	Approval	Recusal S. Regan Interest – P. Yang
1458	Moffat Gardens ALP, Inc. d/b/a Moffat Gardens (Kings Counties)	Approval	Recusal – S. Regan
1817	Bryan Skilled Home Care, Inc. (Nassau, Suffolk and Queen County)	Approval	Recusal – S. Regan

**CATEGORY 3:** Applications Recommended for Approval with the Following:

- § No PHC Member Recusals
  - § Establishment Committee Dissent, or
  - § Contrary Recommendations by SHRCP or HSA

NONE.

**CATEGORY 4:** Applications Recommended for Approval with the Following:

- § PHC Member Recusals
  - § Establishment Committee Dissent, or
  - § Contrary Recommendation by SHRCP or HSA

NONE.

**CATEGORY 5:** Applications Recommended for Disapproval by OHSM or Establishment Committee B with or without Recusals

NONE.

**CATEGORY 6:** Applications for Individual Consideration/Discussion

**Acute Care Services**

<u>Number</u>	<u>Applicant/Facility</u>	<u>E. C. Recommendation</u>	
091090	Upper Allegheny Health System (Cattaraugus County)	Contingent Approval	Exhibit #17

**Dialysis Center**

<u>Number</u>	<u>Applicant/Facility</u>	<u>E. C. Recommendation</u>	
082158	Liberty RC, Inc. (Kings County)	Contingent Approval	Exhibit #18

**Residential Health Care Facilities**

<u>Number</u>	<u>Applicant/Facility</u>	<u>E. C. Recommendation</u>	
082124	North Sea Associates, LLC d/b/a The Hamptons Rehabilitation and Nursing (Suffolk County) Recusal – H. Fensterman  *Interest – M. Fassler	Contingent Approval	Exhibit #19
082134	Niskayuna Operating Company, LLC d/b/a Pathway Rehabilitation and Special Care Center (Schenectady County) Recusal – H. Fensterman	Contingent Approval	Exhibit #20
082135	Troy Operating Company, LLC d/b/a Woodlands Rehabilitation Nursing Center (Rensselaer County) Recusal – H. Fensterman	Contingent Approval	Exhibit #21
082136	Rensselaer Operating Company, LLC d/b/a Rosewood Rehabilitation and Nursing Center (Rensselaer County) Recusal – H. Fensterman	Contingent Approval	Exhibit #22

082137 Cortland Operating Contingent Approval Exhibit #23  
Company, LLC d/b/a Crown  
Center for Rehabilitation and  
Nursing Center  
(Cortland County)  
Recusal – H. Fensterman

**B. Report of Establishment Applications** Exhibit #24

C. Status Report on Requests for Hearings on Applications for Establishment Exhibit #25

Thomas Conway, General Counsel

## VI. REPORT OF DEPARTMENT OF HEALTH ACTIVITIES

Commissioner Richard F. Daines, M.D.

## VII. PUBLIC HEALTH SERVICES

## Office of Public Health Report

## Novel H1N1 Influenza Update

Dr. Guthrie Birkhead, Deputy Commissioner, Office of Public Health

## VIII. REGULATION

## Department Update - 09-03 Amendment of Subpart 6-2 of Title 10 NYCRR (Ocean Surf Bathing Beaches and Automated External Defibrillators(AEDs))

## **Committee on Codes and Legislation**

Ellen Rautenberg, Chair

## **For Information**

**08-05 Amendment of Subpart 7-1 and Addition of new Subpart 7-4 of Part 7  
of Title 10 (Temporary Residences and Mass Gatherings)**

## **IX. NEXT MEETING**

November 13, 2009 (NYC)

## X. ADJOURNMENT